

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-20. (Canceled)

21. (Previously presented) A method of effectuating a data service in a communication system from an originating station to a terminating endpoint, said method comprising:  
receiving a request for said data service with an intended receiving station, the request indicating a service delivery mode associated with the data service; and  
routing said data service to a terminating endpoint based on said service delivery mode.

22. (Original) The method as recited in claim 21 wherein said terminating endpoint is selected from the group consisting of:  
a intended receiving station,  
a terminating station, and  
a store and forward location.

23. (Original) The method as recited in claim 21 wherein said service delivery mode is selected from the group consisting of:  
a background service delivery mode,  
a diagnostic service delivery mode,  
a maintenance service delivery mode, and  
a foreground service delivery mode.

24. (Original) The method as recited in claim 21 wherein said terminating endpoint is said intended receiving station if said service delivery mode is a background service delivery mode, a diagnostic service delivery mode, or a maintenance service delivery mode.

25. (Original) The method as recited in claim 21 wherein said request includes an indication of said service delivery mode, and wherein said associating includes employing said indication to associate said service delivery mode with said data service.

26. (Original) The method as recited in claim 21 wherein said associating includes obtaining said service delivery mode from a database based on an identity of said originating station.

27. (Original) The method as recited in claim 21 wherein said associating includes determining said service delivery mode based on said intended receiving station or said originating station.

28. (Original) The method as recited in claim 21 further comprising; obtaining service interaction indicia associated with said intended receiving station; and wherein said routing further includes routing said data service based on said service interaction indicia and said service delivery mode.

29. (Original) The method as recited in claim 28 wherein said service interaction indicia is selected from the group consisting of:

- a call-forwarding-busy,
- a call-forwarding-default,
- a call-forwarding-no answer,
- a call-forwarding-unconditional, and
- a do-not-disturb.

30. (Original) The method as recited in claim 21 wherein said routing further includes: obtaining service interaction indicia associated with said intended receiving station, generating an acceptance request to said intended receiving station, and routing based on a response to said acceptance request and said service interaction indicia, if said service delivery mode is a foreground service delivery mode.

31. (Original) The method as recited in claim 30 wherein said terminating endpoint is said intended receiving station if said response indicates acceptance of said data service

32. (Original) A method of initiating a data service from a originating station in a communication system, said method comprising:

generating a data service request, wherein said request includes an indication of a service delivery mode associated with said data service.

33. (Original) The method as recited in claim 32 wherein said service delivery mode is one selected from the group consisting of:

- a background service delivery mode,
- a foreground service delivery mode,
- a maintenance service delivery mode, and
- a diagnostic service delivery mode.

34. (Previously presented) A method of receiving a data service at a receiving station in a communication system, said method comprising:

- receiving an indication of delivery of said data service, wherein said indication includes a service delivery mode;
- receiving said data service from said communication system; and
- processing said data service in a manner based on whether the service delivery mode is a background service delivery mode, a maintenance service delivery mode, a diagnostic service delivery mode, and a foreground service delivery mode.

35. Canceled.

36. (Original) The method as recited in claim 34 wherein said processing includes not alerting the user of the receiving station if said service delivery mode is a background service delivery mode, a maintenance service delivery mode, or a diagnostic service delivery mode.

37. (Original) The method as recited in claim 34 further comprising:

- receiving instructions from said communication system regarding not alerting receiving party at said receiving station about delivery of said data service; and wherein said processing includes processing said data service responsive to said instructions.

38. (Original) A method of receiving a data service at a receiving station in a communication system, said method comprising:

- receiving an indication of delivery of said data service, wherein said indication includes a service delivery mode; and
- requesting a response regarding acceptance of said data service from a user of said receiving station, if said service delivery mode is a foreground service delivery mode.

39. (Original) The method as recited in claim 38 wherein said requesting further includes transmitting said response to said communications system.

40. (Original) The method as recited in claim 38 wherein said requesting further includes transmitting an indication of said response to said communications system.

41. (Previously presented) An apparatus for effectuating a data service in a communication system, said apparatus comprising:

a delivery mode determiner configured to associate a service delivery mode with said data service based on an indication of the service delivery mode within a request for effectuation of said data service with an intended receiving station; and

a call delivery director, configured to conduct call set-up procedures and route said data service to a terminating endpoint based on said service delivery mode.

42. (Original) The apparatus as recited in claim 41 wherein said terminating endpoint is selected from the group consisting of:

a intended receiving station,  
a terminating station, and  
a store and forward location.

43. (Original) The apparatus as recited in claim 41 wherein said service delivery mode is selected from the group consisting of:

a background service delivery mode,  
a diagnostic service delivery mode, a maintenance service delivery mode, and  
a foreground service delivery mode.

44. (Original) The apparatus as recited in claim 41 wherein said terminating endpoint is said intended receiving station if said service delivery mode is a background service delivery mode, a diagnostic service delivery mode, or a maintenance service delivery mode.

45. (Original) The apparatus as recited in claim 41 wherein said request includes an indication of said service delivery mode, and wherein said delivery mode determiner is further configured to employ said indication to associate said service delivery mode with said data service.

46. (Original) The apparatus as recited in claim 41 further comprising:  
a database comprising a plurality of database entries, each of said database entries contains an originating station identifier and an associated service delivery mode; and  
said delivery mode determiner is further configured to obtain said associated service delivery mode from said database based on an identity of said originating station and employ said associated service delivery mode as said service delivery mode.
47. (Original) The apparatus as recited in claim 41 further comprising:  
a database comprising a plurality of database entries, each of said database entries contains a receiving station identifier and associated service interaction indicia;  
a service interaction indicia determiner configured to determine service interaction indicia values from said associated service interaction indicia obtained from said database based on an identity of said intended receiving station; and  
wherein said call delivery director is further configured to route said data service based on said service interaction indicia.
48. (Original) The apparatus as recited in claim 47 wherein said service interaction indicia is selected from the group consisting of:  
a call-forwarding-busy, a call-forwarding-default,  
a call-forwarding-no answer,  
a call-forwarding-unconditional, and  
a do-not-disturb.
49. (Original) The apparatus as recited in claim 41 further comprising:  
a database comprising a plurality of database entries, each of said database entries contains a receiving station identifier and associated service interaction indicia;  
a service interaction indicia determiner configured to determine service interaction indicia values from said associated service interaction indicia obtained from said database based on an identity of said intended receiving station; and  
wherein said call delivery director is further configured to generate an acceptance request to said intended receiving station and to route said data service based on said service

interaction indicia and a response to said acceptance request, if said service delivery mode is a foreground service delivery mode.

50. (Original) The apparatus as recited in claim 49 wherein said terminating endpoint is said intended receiving station if said response indicates acceptance of said data service.

51. (Original) A apparatus to originate a data service in a communication system, said apparatus comprising:

a processor configured to generate a data service request, wherein said data service request includes an indication of a service delivery mode associated with said data service; and a transmitter configured to transmit said data service request.

52. (Original) The apparatus as recited in claim 51 wherein said service delivery mode is one selected from the group consisting of:

a background service delivery mode,  
a foreground service delivery mode,  
a maintenance service delivery mode, and  
a diagnostic service delivery mode.

53. (Previously presented) A apparatus for receiving and processing a data service in a communication system, said apparatus comprising:

a receiver configured to receive an indication of a delivery of said data service, wherein said indication includes a service delivery mode associated with the data service, and to receive said data service from said communication system; and

a processor configured to process said data service in a manner based on whether the service delivery mode is a background service delivery mode, a maintenance service delivery mode, a diagnostic service delivery mode, and a foreground service delivery mode.

54. Canceled.

55. (Original) The apparatus as recited in claim 53 wherein said processor is further configured to not alert a user of said apparatus if said service delivery mode is a background service delivery mode, a maintenance service delivery mode, or a diagnostic service delivery mode.

56. (Original) The apparatus as recited in claim 53: wherein said receiver is further configured to receive instructions from said communication system regarding not alerting a user of said apparatus about delivery of said data service;

wherein said processor is further configured to process said instructions; and

said apparatus further comprises a user-interface configured to provide data service information to and receive data service information from a user of said apparatus.

57. (Currently Amended) A data service apparatus in a communication system, said apparatus comprising:

a receiver configured to receive an indication of a delivery of a data service, wherein said indication includes a service delivery mode associated with the data service, the service delivery mode being one of a background service delivery mode, a maintenance service delivery mode, a diagnostic service delivery mode, and a foreground service delivery mode; and

a user-interface configured to alert a user of said apparatus upon receipt of said indication, and wherein said user-interface is further configured to receive a response to said alert from said user.

58. (Original) The apparatus as recited in claim 57 further comprising:

a transmitter configured to transmit said response to said communications system.

59. (Original) The apparatus as recited in claim 57 further comprising: a transmitter configured to transmit an indication of said response to said communications system.